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Docket No.: 20052/1200522-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Randolph J. Noelle et al.

Application No.: 09/835,126

Confirmation No.: 4674

Filed: April 16, 2001

Art Unit: 1644

For: EX VIVO TREATMENT OF ALLOGENEIC
AND XENOGENEIC DONOR T-CELLS
CONTAINING COMPOSITIONS (BONE
MARROW) USING gp39 ANTAGONISTS
AND USE THEREOF

Examiner: P. Gambel

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement dated December 11, 2003, applicant hereby timely elects the species covered by claim 13; namely IL-2. Claim 13 read on the elected species, and claim 1 is generic.

Applicant's election is made without prejudice or disclaimer. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than two species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims is respectfully requested.

Dated: January 12, 2004

Respectfully submitted,
By 

Anna Lövqvist, Ph.D.
Limited Recognition Under
37 C.F.R. 10.9(b) (see attached)
Representative of Applicants
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 753-6237 (Fax)